

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION  
No. 7:18-cv-120-BO

RAQUAY EDDIE,

Plaintiff,

v.

CITY OF WHITEVILLE and J. ATKINSON,  
individually and officially, CARLTON  
WILLIAMSON, individually and officially,  
and CLAY COLLIER, individually.

Defendants.

ORDER

This matter comes before the Court *sua sponte* based on its authority to manage its own docket.

On March 10, 2020, the Court issued an order denying defendants' motions for summary judgment. The Court's order denied summary judgment on plaintiff's abuse of process claim without prejudice because plaintiff was seeking a *de novo* trial of a state conviction that is relevant to the claim.

On April 1, plaintiff's attorney informed the Court that plaintiff is currently scheduled for a June 22 trial. The Chief Justice of the North Carolina Supreme Court, however, has suspended most activities of the state courts, including all jury trials, due to the current public health crisis. Consequently, it appears likely that this trial will be delayed.

"[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants." *Maryland v. Universal Elections, Inc.*, 729 F.3d 370, 379 (4th Cir.

2013). Many of this Court's proceedings have also been suspended or continued because of the public health crisis. The Court STAYS this case in its entirety pending plaintiff's state criminal trial. The parties shall notify the Court when the state court trial is concluded and the stay should be lifted.

SO ORDERED, this 18 day of April, 2020.

  
TERRENCE W. BOYLE  
CHIEF UNITED STATES DISTRICT JUDGE